

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA     :   CRIMINAL NO.     09 - 570**

**v.                     :   DATE FILED:     8-26-09**

**PABLO DIAZ-ROSARIO                     :   VIOLATIONS:**  
**a/k/a Hansel Peguero                 :   21 U.S.C. § 841(a)(1) (possession with intent to**  
**a/k/a Hansel Acevedo                 :   distribute 100 grams or more of heroin – 1 count)**  
**:   21 U.S.C. § 860 (possession with intent to**  
**:   distribute 100 grams or more of heroin within 1000 feet**  
**:   of a school - 1 count)**  
**:   Notice of Forfeiture**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about July 2, 2009, in Philadelphia, in the Eastern District of Pennsylvania,  
  
defendant

**PABLO DIAZ-ROSARIO,**  
**a/k/a Hansel Peguero,**  
**a/k/a Hansel Acevedo,**

knowingly and intentionally possessed with intent to distribute 100 grams or more, that is, approximately 146.5 grams, of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about July 2, 2009, in Philadelphia, in the Eastern District of Pennsylvania,  
defendant

**PABLO DIAZ-ROSARIO,  
a/k/a Hansel Peguero,  
a/k/a Hansel Acevedo,**

knowingly and intentionally possessed with intent to distribute 100 grams or more, that is, approximately 146.5 grams, of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance, within 1000 feet of the real property comprising Community Academy of Philadelphia Charter School, a public elementary and secondary school located at 1100 East Erie Avenue in Philadelphia, Pennsylvania, and within 1000 feet of the real property comprising Francis Hopkinson Elementary School, a public elementary school located at 4001 L Street in Philadelphia, Pennsylvania, in violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(B).

All in violation of Title 21, United States Code, Section 860.

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violations of Title 21, United States Code, Sections 841(a)(1) and 860 set forth in this indictment, defendant

**PABLO DIAZ-ROSARIO,  
a/k/a Hansel Peguero,  
a/k/a Hansel Acevedo,**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses, including, but not limited to:

1993 Lexus (Pennsylvania registration no. GRF-8768)

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offenses.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

**A TRUE BILL:**

---

**FOREPERSON**

**/s/ Michael L. Levy**  
**MICHAEL L. LEVY**  
**United States Attorney**